MYSORE LEGISLATIVE ASSEMBLY

Friday, 5th May 1967.

The House met in the Assembly Chamber, Vidhana Soudha, Bangalore at One of the Clock.

MR. SPEAKER [SRI B. VAIKUNTA BALIGA, B.A., B.L.] in the Chair.

Members' Representations

ಶ್ರಿ ಎನ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ (ಹುಲಿಯೂರುದುರ್ಗ).—ಬಹಳ ಮುಖ್ಯವಾದ ಲೋಪ ಕಂಡುಬರುತ್ತಾ ಇದೆ, ನಮ್ಮ ಪೇಪರ್‌ಗಳೆಲ್ಲಾ ಗಾಳಿಯಲ್ಲಿ ತೂರಿ ಹೋಗುತ್ತಾ ಇವೆ, ಪೇಪರ್ ವೇಟ್ಸ್ ಇಲ್ಲ, ಅವನ್ನು ದಯವಿಟ್ಟು ತರಿಸಿಕೊಡುವುದಕ್ಕೆ ಏರ್ಪಾಡು ಮಾಡಬೇಕು.

ಶ್ರೀ ವಾಟಾಳ್ ನಾಗರಾಜ್ (ಟಿಕ್ಕಪೇಟೆ).—ನಾನು ಸಭೆಯ ಗಮನಕ್ಕೆ ಒಂದು ವಿಷಯವನ್ನು ತರಬೇಕಾಗಿದೆ.....

STATEMENT OF THE SPEAKER.

[*Re* : Functioning of the House.

ಅಧ್ಯಕ್ಷರು.—ನಾನು ಒಂದೆರಡು ನಿಮಿಷ ಮಾತನಾಡುತ್ತೇನೆ. ದಯವಿಟ್ಟು ಕುಳಿತುಕೊಳ್ಳಿ.

I must apologise to the House for having come 7 to 8 minutes late to-day. Hon'ble Members could see from the hoarseness of my voice that I have not fully recovered. I may go a step further and say that if it were possible for me, I would stay away from the House to-day in order that I may be better equipped for the work for tomorrow. But my earnest desire for the efficient working and the calm and smooth functioning of the House and feeling that if in that direction I could be of even a little use, however little it might be, I must risk my health, if need be. It is in that light that I am here and that is how I am a little late.

The House will kindly pardon me and appreciate the position. Yesterday I retired from the Chair and I have heard in my own room all that was transpiring and I have also perused the papers. The last that was spoken of yesterday was that in view of the Question Hour having expired by efflux of time, without being devoted to the answer relating to Questions or any supplementaries that may be put, on a point of order raised, the Chair directed that a particular motion may

(ಅಧ್ಯಕ್ಷರು)

be taken up today and I find it in the agenda. I would rather like to make a very brief statement, not taking more than 4 minutes, after which I will deal with the point raised by Sri N. Huchmasthigowda. I do not know whether there can be any point. Before we go to the work, what exactly the shape of work is going to be, will have to be determined. So far as my statement is concerned, I have copies and I am making that in extraordinary circumstances. Copies will also be furnished to the members so that it may be easily followed. I would appeal to the members not to take it as a homily but only I exercise the right of the Speaker to address the House whenever he feels it necessary or incumbent in discharge of his duties.

A renewed look at certain well-known facts does, on occasions, a lot of useful service.

To arrive at correct conclusions mixing up of ideas is harmful.

Working of democracy is the common interest of all alike regardless of party affiliation. In the working of democracy nobody has lost faith or is opposed to it.

Opposition is by one party to the other. Opposition is not against the House. Opposition is against the executive or the Government supported by the ruling party and is normally by members of the Legislature who do not agree with the matters brought by the Council of Ministers before the House. It is equally open to the members of the opposition to initiate attack. All this is as provided under the rules and not *de-hors* or outside the rules.

Opposition is not with regard to the work arranged to be brought before the House. Opposition is with regard to the items taken up for consideration. So opposition to the commencement of the business is uncovered by the rules and unprotected by Parliamentary procedure. Question Hour is not a matter brought by the Government; it is directed against the Government and so it is unconceivable as to how there could be opposition to the Question Hour.

Opposition is by opposing the motions before the House. Prevention of work is not opposition but obstruction. It is not to cast any reflection on anybody. They are common facts. Now I would like to know.....

Sri S. SIVAPPA (Sravanabelgola).—I want to know one information from the Hon'ble Speaker. May I know under what rule, this statement is made?

Mr. SPEAKER.—It is the right of the Speaker to address the House whenever he feels it necessary or whenever it is thought fit. Is the member aware that the rule exists or is he of the view that the Speaker has no right to address the House? Members should know the rules and not ask under what rules? If he says that such a rule does not exists, I can show it. It should not be a cross-examination of the Chair. It is found in this book.

Sri S. SIVAPPA.—The statement made involves fundamental rights. I want to know.....

Mr. SPEAKER.—Please see rule 297:

"The Speaker may himself on his own initiative without any request or on a point being raised or on a request being made under any of these categories ....."

He has got initiative. If he feels that what I have stated is wrong, he may bring in a motion under rules and I will allow it. Let him not think that there is no rule. If he wants to discuss with me separately, I have no objection. If the rules permit to discuss it on the Floor of the House I will allow. First he may bring in a motion.

Now to cut matters short, if there is any desire on the part of anybody that Question Hour should not be taken up.

† Sri H. M. CHANNABASAPPA (Periyapatna).—I rise to a point of order. It is in simplest form that the ensuing work of this House as proposed in the revised programme, distributing the work for five days is not in order.

Mr. SPEAKER.—Which is the rule?

Sri H. M. CHANNABASAPPA.—The Speaker will kindly bear with me. This point of order now raised requires to be thought over very coolly and you, who is an expert in jurisprudence —I have every hope— will probe into the righteousness of the matter and safeguard the rights of the opposition, where its right is in jeopardy. This is the budget session which was started with the presentation of the budget by the Government and discussions also started. After the presentation of the budget a vote on account was also taken to dafray the charges that may come in during the course of four months. The next thing that should have normally followed aacording to normal conventions, by all standards known all over the world, wherever there is democratic Government, is voting of grants should follow the budget discussion. Subsequently you were pleased to adjourn the session to the 2nd May to transact further business that was before the House. The further business that was before the House was and is discussion on budget and voting of grants. This session was summoned for the purpose of budget and accordingly and rightly too, you were pleased to draw up a programme for 40 days providing for discussion of the budget and in concurrence with the Government you prescribed a programme for 40 days and sent it to us; it is perfectly in order. And now a right has accrued not only to the Opposition but also to the whole House to discuss and decide upon the budget and when that right has accrued to us we have all come prepared for the purpose. All of a sudden, only 20 days after presenting the budget to this House, this House is unable to know the extraordinary cause or reason that impelled the Government to prevail upon you to curtail it to 5 days and that too not for the discussion of

†Indicates that the speeches or remarks have not been revised by the member concerned.

(Sri H. M. Channabasappa)

the budget but for the discussion of some other Government business. After the discussion was initiated, if any extraordinary circumstance was brought before the House by the Chief Minister, I can understand your adjourning the House and giving a recess of 4 or 5 days; that would have been within the scope and within the traditions and conventions, but that has not been done now. The business that has been called upon to be transacted by us is nothing about the budget.

Sri K. PUTTASWAMY (Minister for Public Health and Housing).—I rise to a point of Order, Sir

Mr. SPEAKER.—The hon'ble Member Sri Channabasappa is explaining his point of order; he will please bear in mind that some aspects have already been considered and I have expressed myself to the extent that was possible. If he wants to raise a point of order, I may tell him that point of order will arise only after the Question Hour and the Question Hour cannot be put back by a point of order.

Sri H. M. CHANNABASAPPA.—I submit with great humility that I rise to a point of order on the Question Hour itself and a point of order shall have precedence over everything else in this House.

Mr. SPEAKER.—So, the point of order is with regard to the Question Hour itself.

Sri H. M. CHANNABASAPPA.—It is with regard to initiating the work of the House on the basis of the revised programme. It is not in order; it is illegal, unconventional and opposed to all traditions and conventions known in any democratic country in this world.

Mr. SPEAKER.—Which rule is the hon'ble Member having in mind?

Sri H. M. CHANNABASAPPA.—For my point of order I depend upon the conventions that have been built up which have the force of Law.

Mr. SPEAKER.—What is the authority for the convention?

Sri H. M. CHANNABASAPPA.—I have been in this Legislature for 35 years and your goodself has been a legislator for such a long time. I would request your goodself to show an example anywhere in any democratic country where a budget session which has been called to discuss the budget has been set aside and some other business has been taken up.

Mr. SPEAKER.—May I take it that no particular rule is there in the mind of the hon'ble Member? Then there is no authority by way of any precedent either in this legislature or elsewhere. On the other hand, the convention that the hon'ble Member is having in his mind is resulting from the experience that he has and he is also thinking that my experience is like that. That is the only authority.

Sri H. M. CHANNABASAPPA.—I further depend upon the circular that has been issued by your goodself and by the Secretary fixing up a programme for 40 days and calling upon us to come prepared for the debate on the budget.

Mr. SPEAKER.—Which is that rule ?

Sri H. M. CHANNABASAPPA.—Rule No. 311 (2) which says: "A point of order may be raised in relation to the business before the Assembly at the moment". At this moment, the business of the Assembly, as has been determined, is the Question Hour. Sir. it pains me very much to give room to you to speak because your throat is very much damaged. I do not want to be a source of further damage. If you will kindly permit me I will finish my remarks in two minutes.

Mr. SPEAKER.—It is not only damaged but ruined.

Sri H. M. CHANNABASAPPA.—I am very sorry to hear these words from you and we on this side have the greatest amount of respect for you and to the knowledge that you have and the way in which you have been managing the House. Sir, this is a very important matter; it affects the fundamental rights of the Opposition to go ahead with the business of discussing the budget which has been presented and on the basis of which a vote on account has been obtained. And to stay that budget discussion and to stay the deliberations on the budget on a flimsy reason, a reason which children would not put forth, and to postpone the budget discussion would not be in order.

Sri R. M. PATIL (Miister for Municipal Administration).—The hon'ble Member is challenging the Speaker's ruling.

Sri H. M. CHANNABASAPPA.—The Hon'ble Minister is provoking me.

1-30 P. M.

Mr. SPEAKER.—Now I believe the request was for the Question Hour being postponed on the first day and never thereafter. I believe there is a motion by Mr. K. H. Patil, which is included in the agenda. If the House so desires I am prepared to consider the Question of dropping the Question Hour and taking up Mr. Patil's Motion. Is the House agreed ?... Somebody said Yes. Is he Sri Gopala Gowda, who said Yes ?

Sri S. GOPALA GOWDA (Thirthahalli).—Yes.

Sri H. SIDDAVEERAPPA (Harihar).—Sir, may I submit...

Mr. SPEAKER.—Not before Mr. Channabasappa has finished. Otherwise he will miss his plane.

Sri H. SIDDAVEERAPPA.—We will see his ticket is cancelled.

Mr. SPEAKER.—If Sri Siddaveerappa is contending or suggesting that my suggestion should be accepted, I will ask Sri Channabasappa to wait. I believe all the members are anxious to discuss Mr. Patil's Motion.

Sri H. M. CHANNABASAPPA.—Until my Point of Order is discussed, would it be right to invite any other discussion ? This again is another point of order.

Mr. SPEAKER.—The point of order which the member has raised till now or what he has stated, has been discussed in several ways and I have expressed my views. He has not stated anything new.

Sri H. SIDDAVEERAPPA.—Budget and Budget alone should be taken, is my point.

Mr. SPEAKER.—I facilitate by adjourning the House for 20 minutes. Hon'ble Member Sri Channabasappa, I suppose, will not say, "no," to me. I myself have to consider what I should do. I will give him 15 to 20 minutes. He may retire and tell me. Now I adjourn the House for 15 minutes.

The House adjourned at Thirty-five Minutes past One of the Clock and re-assembled at Fifty Minutes past One of the Clock.

[MR. SPEAKER in the Chair]

Member's Representation

ಶ್ರೀ ಪಾಟೀಲ್ ನಾಗರಾಜ್.—ಸ್ವಾಮಿ, ಇಬ್ಬರು ಮಂತ್ರಿಗಳು ರಾಜೀನಾಮೆ ಕೊಟ್ಟಿದ್ದಾರೆಂದು ವರ್ತಮಾನ ಬಂದಿದೆ. ಅವರಲ್ಲಿ ಶ್ರೀಮಾನ್ ಪಾಟೀಲರು ಒಬ್ಬರು ಮತ್ತು ಇನ್ನೊಬ್ಬರು ಕಾನೂನು ಮಂತ್ರಿಗಳು ಎಂದು ಗೊತ್ತಾಗಿದೆ. ಹೈಕೋರ್ಟ್ ರಿಟ್ ವಿಚಾರದಲ್ಲಿ ರಾಜೀನಾಮೆ ಕೊಟ್ಟಿದ್ದಾರೆಂದು ತಿಳಿದು ಬಂದಿದೆ. ಇವರು ರಾಜೀನಾಮೆ ಕೊಟ್ಟ ವಿಚಾರ ಸಭೆಗೆ ಗೊತ್ತಾಗಿದೆಯೇ ಎಂದು ಕೇಳುತ್ತೇನೆ.

ಅಧ್ಯಕ್ಷರು.—ಕುಳಿತುಕೊಳ್ಳಿ.

ಶ್ರೀ ಪಾಟೀಲ್ ನಾಗರಾಜ್.—ಇದು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾದ ವಿಚಾರ. ಅದ್ದರಿಂದ...

THE STATEMENT OF THE CHIEF MINISTER ON THE FINANCIAL POSITION OF THE STATE

Motion to Consider.

Mr. SPEAKER.—I do not know that there were things going on when I was away. The House did not meet during that period. I am very happy to announce that an agreement has been arrived at and I have accepted it, and I take the question of settling the business for today and tomorrow; and by virtue of that I am deciding that there will be no Question Hour today and tomorrow. Sri K. H. Patil's motion will be taken up immediately for consideration.

ಶ್ರೀ ಕೆ. ಎಚ್. ಪಾಟೀಲ್ (ಗದಗ್).—ನನ್ನ ಪ್ರಸ್ತಾವ ಈ ರೀತಿ ಇದೆ. 2-5 1967ರಂದು ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಆರ್ಥಿಕ ಸಮಸ್ಯೆಯ ಬಗ್ಗೆ ಈ ಸಭೆಯಲ್ಲಿ ಹೇಳಿದ ಹೇಳಿಕೆಯನ್ನು ಪರಿಶೀಲಿಸಬೇಕು.